

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KATTEN MUCHIN ROSENMAN LLP,

Plaintiff,

-against-

KAYVAN HAKIM, YASSMINE HAKIM and  
GREAT NORTHERN INSURANCE COMPANY,

Defendants.

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Case No.: 07-CV-2921 [BSJ]

**DECLARATION OF  
KAYVAN HAKIM  
IN OPPOSITION TO  
GREAT NORTHERN  
INSURANCE  
COMPANY'S MOTION  
PURSUANT TO FRCP 56**

Kayvan Hakim, pursuant to 28 U.S.C. Section 1746, declares under penalty of perjury:

1. I am a defendant in this action and I am familiar with the facts and circumstances set forth herein.,
2. I make this declaration in opposition to the motion of Great Northern Insurance Company ("Great Northern"), pursuant to the Federal Rules of Civil Procedure ("F.R.C.P.") 56, for summary judgment dismissing the complaint herein, dated April 11, 2007 (the "Complaint") and awarding recovery of disputed escrow funds (the "Escrow Funds") to Great Northern.
3. At the time that I entered into the Settlement Agreements and the Escrow Agreements which are the subject of this action, I was aware that those agreements did not limit the time for my wife and I to rebuild the destroyed property. Further, as it is a complex endeavor to obtain a suitable rebuild contract at a remote out-of-state location, I did not contemplate completing my performance under the Agreements within a specific time frame at the time that I entered into and I have not subsequently agreed to do so.

4. I am presently in active negotiations to obtain a rebuild contract.

Dated: New York, New York

June 13, 2007

/S/  
Kayvan Hakim